No. R. 3145—*L. R.* 212-06-2, *dated* 11*th September* 1906.

The following Order of Government, made in exercise of powers conferred by Sections 4 and 233 of the Mysore Land Revenue Code, 1888, and all other powers enabling them in this behalf, is published as required by Section 234 of the said Code :—

No. R. 3105-44—L. R. 212-06-1, DATED BANGALORE, 11TH SEPTEMBER 1906.

ORDER.—The Mysore Land Revenue Code, 1888, having been amended by Regulation No. VI of 1906, the Government of His Highness the Maharaja take this opportunity of explaining briefly the changes introduced by that Regulation in the existing system of revenue administration, and at the same time of defining the additional powers and duties which it is considered desirable to assign to the Revenue Commissioner.

2. The Mysore Land Revenue Code, as enacted in 1888, reserved power to Government to appoint a Revenue Commissioner, and to assign to him the duties and powers of Government set out in Schedule I of the Code, subject to certain conditions. It has been found by experience to be desirable to formally constitute the Revenue Commissioner as the chief controlling Revenue authority in land revenue matters subject to Government, provision being made in the Code itself for his being vested with the duties and powers which he is to perform and exercise.

Accordingly, the new Section 4 (as substituted by Regulation VI of 1906) declares that the chief controlling authority in land revenue matters is vested in the Revenue Commissioner subject to Government, and defines the duties and powers to be performed and exercised by him. Schedule I, being no longer necessary, has been repealed, and various minor consequential changes have been made in other provisions of the Code with a view to making the same as far as possible identical with the provisions of the Bombay Land Revenue Code.

The full appellate jurisdiction which the Revenue Commissioner could have exercised under Section 210 of the Code had been to some extent curtailed by Notification No. 37, dated the 8th August 1902. This Notification will be formally cancelled, as it has virtually been by the amendments now made to the Land Revenue Code, as the effect of which the Revenue Commissioner will (among other things) have full powers of appeal from the decisions and orders of subordinate Revenue officers. In order to secure a reasonable degree of finality with respect to the appellate orders of the Revenue Commissioner, an additional clause has been inserted in Section 210, so as to bar appeals to Government from appellate decisions or orders passed by that officer except on points of law or usage having the force of law. The law in Bombay is somewhat different and makes all orders of Commissioners on second appeal final.

3. Having thus explained the scope of the amendments of the law recently introduced, Government now proceed to indicate in greater detail the extent to which and the directions in which the functions of the Revenue Commissioner will be enlarged beyond those assigned to him at present.

4. The office of the Revenue Commissioner was created in August 1902 for the purpose of providing for the more efficient control and supervision of the Revenue Department. Although there has been considerable improvement in the working of the Department since then, yet the results achieved have not come up to the full expectations of Government, owing no doubt in some measure to its not having been found possible at the outset to invest the Revenue Commissioner with all the powers properly pertaining to his office.

The fact that he has now been constituted the chief controlling revenue authority, and that his responsibility as such for the Revenue Administration has been fully recognized, will, it is hoped, ensure the full attainment of the object with which the appointment was created, and enable him to effectually carry out all measures calculated to promote the industrial and agricultural progress of the country, and to improve and maintain at a high level the efficiency of the Revenue service generally.

5. *Land Revenue.*—The following powers heretofore exercised by Government will now be delegated to the Revenue Commissioner :—

(1) Power to deal with the reports of the Deputy Commissioners regarding the sufficiency and realisable nature of the securities taken from Revenue officers under Rule 8 of the Land Revenue Rules.

(2) Power to sanction appropriation of lands for roads whether Provincial or Local Fund, and for schools, Dharmasalas and other public purposes, where no compensation has to be paid by Government for lands taken up; subject to the limitation that the market value of the land appropriated, if unassessed, does not exceed Rs. 100 in any case, and the assessment of the land, if assessed, does not exceed Rs. 5. The Revenue Commissioner should submit for the information of Government half-yearly returns showing the alienations sanctioned by him.

(3) Power to appropriate assessed Government lands for extension of village sites and to write off assessment thereon.

(4) Power to exercise the special powers reserved to Government in the grant of lands for garden cultivation under Appendix I of the Land Revenue Rules of 1890, subject to the condition that the assessment of the land so granted in any case does not exceed Rs. 500.

(5) Power to sanction refunds admissible under the Rules, submitting to Government half-yearly returns of the same.

(6) Power to direct the remission of irrecoverable arrears of revenue, submitting to Government half-yearly returns of the same.

6. *Reports and Returns.*—Separate orders will be issued in regard to the reports and returns relating to collections of land revenue and other allied matters that will hereafter be dealt with by the Revenue Commissioner.

7. *Tanks and other works of irrigation.*—The responsibility for enforcing the rules with regard to the maintenance of tanks and other works of irrigation in the charge of the Revenue Department, the imposition and recovery of contribution, and the working of the minor tanks restoration scheme, will hereafter rest with the Revenue Commissioner. He will also arrange, in communication with the Chief Engineer, to secure a due distribution of the allotment for the restoration of minor tanks; and all applications for funds and special treatment should be made by Deputy Commissioners primarily to the Revenue Commissioner. He will have the right to call for progress reports and otherwise control the execution of such works by the Revenue Department.

8. *Land Acquisition.*—The Revenue Commissioner will be authorized to control the progress of land acquisition proceedings by obtaining periodical reports so as to be able to direct their completion with all reasonable despatch. He will have the power to write off the assessment on lands acquired under the orders of Government.

9. *Loans.*—The Revenue Commissioner will be empowered—

(1) to distribute among the districts allotments of funds for the two classes of loans, Land Improvement and Agricultural Loans, after sanction of the provincial allotment by Government;

(2) to transfer the unexpended balance of the allotment from one district to another;

(3) to sanction loans under the Land Improvement Loans Regulation up to a limit of Rs. 2,500, and loans under the Rules framed under Section 194 of the Mysore Land Revenue Code up to a limit of Rs. 1,000;

(4) to confirm the proceedings of Deputy Commissioners suspending payment of instalments of loans or to pass other suitable orders in such cases; and

(5) to write off irrecoverable items up to Rs. 100 in each case.

10. *Treasury and Forest Administration.*—Separate action will be taken in the matter of defining (1) the extent of the responsibility of the Revenue Commissioner in regard to the administration of Treasuries and (2) his position in regard to proposals affecting the use of forests and waste lands.

11. *Stamps.*—The constitution of a chief controlling Revenue authority for the purposes of the Stamp and Court Fees Regulations, and the appointment of an *ex-officio* Commissioner of Stamps for supervising the administration of the stamp revenue, are also reserved for separate consideration.

12. *Agricultural Banks and Co-operative Societies.*—The Revenue Commissioner is empowered to inspect Co-operative Societies and Agricultural Banks, including Coffee Banks, and to review the reports of inspections forwarded by Deputy Commissioners and the Registrar of Co-operative Societies (who will also be constituted Inspector of Agricultural Banks and placed under the Revenue Commissioner). The previous orders of Government should be obtained by him in matters involving a change in the securities for loans, if any, advanced by Government to such institutions. Recommendations to Government for the establishment of new Agricultural Banks and the winding up of existing ones should be made through the Revenue Commissioner.

13. *Agricultural and other Statistics.*—In addition to his other work, the Revenue Commissioner will continue to exercise, in virtue of his office, the functions of Director of Agricultural and other Statistics, and as such he will collect and deal with all statistical returns relating to the season, agriculture, and the condition and well-being of the people, and devote attention to the improvement of agriculture and the breed of cattle.

14. *Famine Administration.*—Under Section 49 of the Famine Code, in the absence of a specially appointed Famine Commissioner, the Revenue Commissioner is vested with all the powers delegated to the Famine Commissioner under the Famine Code; and he is responsible for the due enforcement of its provisions both under ordinary and abnormal conditions. He will not only acquaint himself with current agricultural conditions at all times, but also concert such measures as may be necessary in seasons of stress or difficulty to prevent the occurrence of distress or to ensure the relief thereof.

15. *Leave to Assistant Commissioners and Amildars.*—The Revenue Commissioner will grant casual leave to Assistant Commissioners, and casual leave and privilege leave not exceeding one month to Amildars and Deputy Amildars, the grant of privilege leave being notified in Part II of the *Mysore Gazette*.

16. *Appointments in subordinate offices.*—As regards appointments beyond the competence of Deputy Commissioners or requiring the approval of higher authority, in their own offices, or in those of Assistant Commissioners, Amildars and Deputy Amildars, other than appointments on or above or progressing to Rs. 100, and other than appointments in the Police and Forest Branches of the offices of Deputy Commissioners, the sanction or approval required shall, in the absence of express statutory provision to the contrary, be that of the Revenue Commissioner.

17. *Appeals not otherwise provided for.*—In Revenue and other matters falling within his jurisdiction and not already provided for by any Rule or Regulation, the Revenue Commissioner will have, and is hereby invested with, the power of hearing appeals from orders of Deputy Commissioners and revising them.

18. The Revenue Commissioner will continue as heretofore to exercise and perform any other powers and duties (not being among those hereinbefore mentioned) which may have been already assigned to him, in so far as the same is not inconsistent with the directions contained in this order.

19. The Revenue Commissioner will submit to Government drafts of any amendments of existing Regulations and the Rules under them that may be rendered necessary by the powers now conferred on him.